

Attorney Docket: 65857-0036  
S.N.: 10/002,670

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8/28/02

## PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ulrich, et al.

Group Art Unit: 3743

Serial No.: 10/002,670

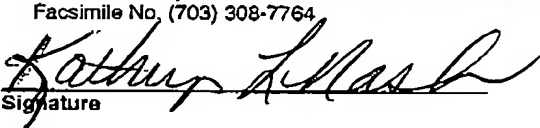
Examiner: ATKINSON, C. M.

Filed: 10/23/01

For: AIR CONDITIONER WITH INTERNAL HEAT EXCHANGER  
AND HEAT EXCHANGER TUBE THEREFOR

Attorney Docket No.: 65857-0036

Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))	
I hereby certify that this correspondence is, on the date shown below, being:	
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner of Patents, Washington, DC 20231	<input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office. Facsimile No. (703) 308-7764
Date: <u>August 23, 2002</u>	 Signature <u>Kathryn L. Nash</u>

RESPONSE

Dear Sir:

In response to the Office Action mailed 4/24/02 (Paper No. 5), Applicants submit this paper to clarify their understanding regarding the events with regard to this Office Action. The Examiner issued the subject Office Action without considering the Second Preliminary Amendment, which Applicants' representative filed on January 22, 2002. After discussions with Applicants' representative, Bradley J. Diedrich, the Examiner requested that Applicants

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submit evidence of the filing of the Second Preliminary Amendment. The Examiner also indicated that he would issue a new Office Action and consider the Second Preliminary Amendment in his review. Applicants submitted a communication to the Examiner dated June 27, 2002 showing evidence of the filing of the Second Preliminary Amendment as well as an Affidavit by Applicants' representative. A postcard stamped by the Patent Office on July 2, 2002 has been returned to the Applicants indicating receipt of this communication. Additionally, pursuant to a request by the Examiner, a copy of the communication of June 27<sup>th</sup> was faxed to the Examiner on July 23, 2002. To date, Applicants have not received a revised Office Action.

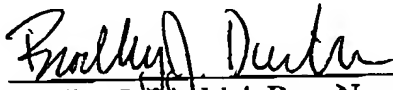
On August 22, 2002, the Examiner had a telephone conference with Kathryn L. Nash, Administrative Assistant to Bradley J. Diedrich, and indicated that a review of the Patent Office computer shows receipt of the Communication in the computer queue, but that the Examiner had not received the communication for his review. The Examiner indicated that once he receives the communication, he would promptly prepare a new Office Action for this application.

Applicants believe that no extension fees are required for this response. It is believed that no additional fees are due with respect to this paper. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge Account No. 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

Date: August 23, 2002

By:

  
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